

1 The opinion in support of the decision being
2 entered today is not binding precedent of the board.

Paper 26

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4
5 Filed by:

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Filed 20 April 2006

14 UNITED STATES PATENT AND TRADEMARK OFFICE

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17 BEFORE THE BOARD OF PATENT APPEALS
18 AND INTERFERENCES
19 (Senior Administrative Patent Judge McKelvey)
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22 JEREMY **NATHANS**, PHILIP M. SMALLWOOD and PATRICK TONG,

23
24 Junior Party
25 (Application 08/621,143),
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27 v.

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29 JOHN M. **GREENE** and PATRICK J. DILLON,

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31 Senior Party
32 (Patent 6,787,640 B2).
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35 Patent Interference 105,419 (McK)
36 Technology Center 1600
37

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39 Before: McKELVEY, Senior Administrative Patent Judge, and
40 GARDNER LANE and MOORE, Administrative Patent Judges.

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42 McKELVEY, Senior Administrative Patent Judge.
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44 **FINAL JUDGMENT**

45 For the reasons given in the accompanying MEMORANDUM OPINION
46 and ORDER (Paper 25), it is

47 ORDERED that judgment on priority as to Count 1
48 (Paper 1, page 8), the sole count in the interference, is awarded

1 against junior party JEREMY NATHANS, PHILIP M. SMALLWOOD and
2 PATRICK TONG.

3 FURTHER ORDERED that junior party JEREMY NATHANS,
4 PHILIP M. SMALLWOOD and PATRICK TONG is not entitled to a patent
5 containing claims 4-13 and 33-40 (corresponding to Count 1) of
6 application 08/621,143, filed 21 March 1996.

7 FURTHER ORDERED that a copy of this paper shall be made
8 of record in files of application 08/621,143, filed 21 March 1996
9 and U.S. Patent 6,787,640 B2.

10 FURTHER ORDERED that if there is a settlement
11 agreement, attention is directed to 35 U.S.C. § 135(c) and 37 CFR
12 § 1.661.

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16 /Fred E. McKelvey/)
17 FRED E. McKELVEY, Senior)
18 Administrative Patent Judge)
19)
20)
21 /Sally Lane/)
22 SALLY LANE) BOARD OF PATENT
23 Administrative Patent Judge) APPEALS AND
24) INTERFERENCES
25)
26 /James T. Moore/)
27 JAMES T. MOORE)
28 Administrative Patent Judge)
29

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